

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Case No. 5:20-cv-00117-M

RODRICK JENKINS,

Plaintiff,

v.

ANDREW SAUL,
Commissioner of Social Security,

Defendant.

ORDER

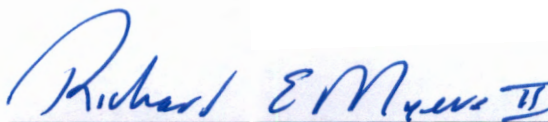
This matter is before the court on Plaintiff's consent motion for attorney's fees under the Equal Access to Justice Act, 28 U.S.C. § 2412(d) ("EAJA"). DE 33. The parties have agreed that the Commissioner of Social Security should pay the sum of \$5,500.00, in full and final settlement of all claims arising under the EAJA. Pursuant to the EAJA, and in light of this court's order and judgment dated May 19, 2021, affirming the post-remand decision of the Administrative Law Judge, and further that Plaintiff has assigned to his attorney any fee owed under the EAJA and has authorized the attorney to endorse any government check for attorney's fees paid to Plaintiff under EAJA,

IT IS ORDERED that the United States Social Security Administration pay attorney's fees in the amount of \$5,500.00, in full satisfaction of any and all claims Plaintiff may have in this case under the EAJA.

Further, pursuant to the Supreme Court's ruling in *Astrue v. Ratliff*, 560 U.S. 586 (2010), these attorney's fees are payable to Plaintiff as the prevailing party and are subject to offset

through the Treasury Department's Offset Program to satisfy any pre-existing debt Plaintiff may owe to the United States government. If the award to Plaintiff is not subject to the offset program, payment will be made by check payable to Plaintiff's counsel, Vaughn S. Clauson, and mailed to his office at The Clauson Law Firm, PLLC, P.O. Box 110205, Durham, NC 27709 in accordance with Plaintiff's assignment to his attorney of his right to payment of attorney's fees under the EAJA. If the payment is subject to offset, then any remaining fee will be made payable to Plaintiff and mailed to Plaintiff's counsel's office address.

SO ORDERED this 26th day of May, 2021.



RICHARD E. MYERS II
CHIEF UNITED STATES DISTRICT JUDGE